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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,320	03/18/2004	Janaki Kumar	13906-142001 / 2003P00614	7310
32864 7590 01/05/2009 FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER PESIN, BORIS M	
			ART UNIT 2174	PAPER NUMBER
			NOTIFICATION DATE 01/05/2009	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com

Office Action Summary	Application No. 10/804,320	Applicant(s) KUMAR ET AL.	
	Examiner BORIS PESIN	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-15,17 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8-15,17 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This communication is responsive to amendment filed 10/20/2008.

Claims 1-6, 8-15, and 17-18 are pending in this application. Claims 1, 8, 17 and 18 are independent claims. In the amendment filed 10/20/2008, Claims 1, 8, 17 and 18 were amended. This action is made Non-Final because a 101 rejection should have been previously made.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-6 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1 is directed to the program itself, not a process occurring as a result of executing the program, a machine programmed to operate in accordance with the program nor a manufacture structurally and functionally interconnected with the program in a manner which enables the program to act as a computer component and realize its functionality. It is also clearly not directed to a composition of matter. Therefore, it is non-statutory under 35 USC 101.

The Applicant is advised that in order to overcome the 101 rejection, the Applicant should incorporate the computer program product on a computer readable medium. One option of putting the computer program product on a computer readable

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media is to embody the program onto a computer readable media (hard disk drive, DVD) and explicitly describe in the claim language that the computer program product exists as computer readable instructions on a computer readable media.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-3, 5, 8, 9, 14, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ravenscroft et al. U.S. Patent Number 6,466,663 (hereinafter Ravenscroft) in view of Anderson et al. (US 7046789) further in view of Elsey et al. (US 2004/0184593) further in view of Flockhart (US 6563920).

As per claim 1, Ravenscroft discloses of “computer program product comprising executable program instructions that when executed by a processor provide an interaction center manager's graphical user interface on an interconnected display

device, the manager's graphical user interface" by a graphical user interface of a workstation is displayed which is processed by a processor (Ravenscroft column 4 lines 26-40). In particular, "an overview area displaying group statistics that relate to a responsiveness of a selected group of interaction center agents being monitored and that indicate a number of customers present in each of multiple customer queues, wherein the multiple customer queues are organized to accommodate different customers" by viewing a pop up box with all of the information (Ravenscroft See Figure 5); "a detailed area displaying a list of each of the user-selected group of interaction center agents being monitored and further displaying for each of the listed agents at least one user-selected individual statistic relating to the listed agents" by monitoring activities of agents upon a display as part of the graphical user interface (Ravenscroft column 1 lines 32-37).

Ravenscroft does not specifically teach a detailed area displaying a list of each agent of the selected group of interaction center agents being monitored and further displaying for each list agent an indication of a skill associated with the listed agent. Anderson teaches a detailed are displaying a list of each agent of the selected group of interaction center agents being monitored (See Figures 21 and 22) and further displaying for each list agent an indication of a skill associated with the listed agent (See Figure 20 that shows "efficiency" which is a skill). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ravenscroft with the teachings of Anderson and include a system that shows skill information with the motivation to provide the user with more pertinent information on the screen.

Ravenscorft and Anderson do not specifically teach that multiple customer queues are organized to accommodate different customer priority levels among the multiple customer queues and are being serviced by the selected group of interaction center agents. Elsey teaches multiple customer queues that are organized to accommodate different customer priority levels among the multiple customer queues and the queues being serviced by the selected group of interaction center agents (See Paragraph 0116). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ravenscorft and Anderson with the teachings of Elsey and include different priority customer queues with the motivation to provide a better method of handling important/urgent matters.

Ravenscorft-Anderson-Elsey further teach that agents can have different skills such as different languages (see Elsey paragraph 0116). However, Ravenscorft-Anderson-Elsey do not teach displaying information specifying the availability of the listed agent during a future period of time. Flockhart teaches displaying information specifying the availability of the listed agent during a future period of time (See Column 2, Line 66- Column 3, Line 10). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ravenscorft-Anderson-Elsey with the teachings of Flockhart to include displaying information specifying the availability of the listed agent during a future period of time with the motivation to provide the call center's manager with an easier method of staffing an appropriate number of call agents.

As per claim 2, the rejection of claim 1 is incorporated and Ravenscroft discloses “statistics are associated with user-created profiles that represent different sets of statistics displayed on the graphical user interface” by displaying requested statistical information on the graphical user interface (Ravenscroft column 5 lines 43-45).

As per claim 3, the rejection of claim 1 is incorporated and Ravenscroft discloses “the display in the detailed area comprises one or more of the interaction center agent's name, queues, key figures for each queue, statistical measurements and alerts” by displaying agent's name, statistical measurements, and queues as shown by Fig. 10 in area 92 and 200 (Ravenscroft Fig. 10).

As per claim 5, the rejection of claim 1 is incorporated and Ravenscroft discloses “the at least one individual statistic includes a current availability state or a communication state for each of the listed agents” by displaying a view of the agent's state of availability and state of communication as shown by Fig. 11 in area 256 and 260 (Ravenscroft Fig. 11).

Claim 8 is similar in scope to claim 1; therefore it is rejected under similar rationale.

As per claim 9, the rejection of claim 8 is incorporated and claim 9 contains the same limitations as claim 3 and is rejected under the same rationale as set forth in connection with claim 3.

As per claim 14, the rejection of claim 8 is incorporated and claim 14 contains the same limitations as claim 5 and is rejected under the same rationale as set forth in connection with claim 5.

Claims 17 and 18 are similar in scope to claim 8; therefore they are rejected under similar rationale.

Claims 4 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ravenscroft-Anderson further in view of Judkins et al. U.S. Patent Number 6,587,556 (hereinafter Judkins).

As per claim 4, the rejection of claim 1 is incorporated but Ravenscroft-Anderson does not disclose of "the at least one group statistics are selected from a group consisting of an average handling time, an average speed of answer, an abandonment rate, an average talk time, an average response time, calls per hour, calls per day, total calls by channel and total calls by state". However, Judkins teaches of "the at least one user-selected statistic is selected from a group consisting of an average handling time, an average speed of answer, an abandonment rate, an average talk time, an average

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response time, calls per hour, calls per day, total calls by channel and total calls by state” by having all call statistics available as shown in Fig. 57, Fig. 60, and Fig. 61 (Judkins Fig. 57, Fig. 60, and Fig. 61).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ravenscroft-Anderson with the call statistics teaching of Judkins. One of ordinary skill in the art would have been motivated to do so because having the call statistics available allows for evaluation of call center performance in any call center system (Judkins column 1 lines 44-46).

As per claim 13, the rejection of claim 8 is incorporated and claim 13 contains the same limitations as claim 4 and is rejected under the same rationale as set forth in connection with claim 4.

Claims 6 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ravenscroft-Anderson-Elsey-Flockhart further in view of Hugh U.S. Patent Application Publication Number US 2003/0137536 A1 (hereinafter Hugh).

As per claim 6, the rejection of claim 5 is incorporated but Ravenscroft-Anderson-Elsey-Flockhart does not disclose of “the communication state is selected from a group consisting of an active chat state, an active phone state, an active email state, and an active paging state”. However, Hugh teaches of “the communicate state is selected

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from a group consisting of an active chat state, an active phone state, an active email state, and an active paging state” by providing interaction through email, instant messaging, paging, phone calls, and SMS (Hugh Abstract lines 5-8).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the call center manager of Ravenscorft-Anderson-Elsey-Flockhart with the interaction of Hugh. One of ordinary skill in the art would have been motivated to do so because having the interaction available allows the system to show user of changes or other events by those means (Hugh Abstract lines 9-10).

As per claim 15, the rejection of claim 14 is incorporated and claim 15 contains the same limitations as claim 6 and is rejected under the same rationale as set forth in connection with claim 6.

Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ravenscorft-Anderson-Elsey-Flockhart further in view of Chee et al. U.S. Patent Number 6,526,397 (hereinafter Chee).

As per claim 10, the rejection of claim 9 is incorporated but Ravenscorft-Anderson-Elsey-Flockhart does not disclose of “receiving a selection of threshold values associated with each key figure”. However, Chee teaches of “receiving a selection of threshold values associated with each key figure” by providing threshold levels for call statistics (Chee column 5 lines 35-46).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the call center manager of Ravenscroft-Anderson-Elsey-Flockhart with the threshold level option of Chee. One of ordinary skill in the art would have been motivated to do so because having the threshold levels available allows for easier indication of changing color for a statistic represented on a display (Chee column 7 lines 54-57).

As per claim 11, the rejection of claim 10 is incorporated but Ravenscroft-Anderson-Elsey-Flockhart does not disclose of “providing an alert when a key figure exceeds the selected threshold value associated with the key figure”. However, Chee teaches of “providing an alert when a key figure exceeds the selected threshold value associated with the key figure” by providing an alert in the form of change in color of a statistic or warning sound when a threshold level has been breached (Chee column 7 lines 54-57).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the call center manager of Ravenscroft-Anderson-Elsey-Flockhart with the alert option of Chee. One of ordinary skill in the art would have been motivated to do so because having the alert available will bring the attention of the graphical user interface to the user (Chee column 5 lines 39-43).

As per claim 12, the rejection of claim 11 is incorporated but Ravenscroft-Anderson-Elsey-Flockhart does not disclose of “the alert comprises a visual indication

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on the display". However, Chee teaches of "the alert comprises a visual indication on the display" by providing an alert in the form of change in color of a statistic (Chee column 7 lines 54-57).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the call center manager of Ravenscroft-Anderson-Elsey-Flockhart with the visual indication option of Chee. One of ordinary skill in the art would have been motivated to do so because having the visual indication available will bring the attention of the graphical user interface to the user (Chee column 5 lines 39-43).

Response to Arguments

Applicant's arguments with respect to claims 1-6, 8-15, and 17-18 have been considered but are moot in view of the new ground(s) of rejection.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BORIS PESIN whose telephone number is (571)272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Boris Pesin/
Examiner, Art Unit 2174